

REMARKS

The undersigned acknowledges the courteous treatment received by Mr. Belkin during the course of an interview held on May 9, 2004. During the interview, Mr. Belkin presented the arguments described below. The Examiner raised the issue whether the distribution of the nibs can be patentable in the absence of proving criticality for the distribution. Mr. Belkin pointed out that throughout the specification the Applicant points out the importance of the particular claimed distribution of the nibs. For example, in page 5, under the summary of the invention, it is stated "the mitt has a deliberately dense pattern of rubber nibs along the mid-line on the palm side of the mitt to engage pet hairs". In page 6, "These circular patterns are especially effective at massage and for removing loose hairs when a circular scrubbing motion is used", and "The high density of nibs in these regions provides a substantial force". In page 8, "These nib patterns 9 are especially effective at massage". In page 9, "nib patterns 9 insures that a substantial force can be exerted against the hide of the animal without collapsing the nibs 2".

In other words, in the original application, the Applicant stresses the very importance of the claimed distribution of the nibs. And as pointed out below, there is no teaching or suggestion of this arrangement in the art of record. Nor is there any teaching for the distribution of concentric rings of nibs as in new Claim 36, or, alternately, where the mitt is bendable and has an unencumbered reservoir.

Claims 1, 2, 4, 6-8, and 35 were rejected as being indefinite. It is believed that the current amendment corrects the deficiencies pointed out by the Examiner.

Claims 1, 2, and 35 were rejected as being unpatentable over Myren ('172) in view of Sullins ('890) and Wilkerson ('913).

Claims 4 and 6 were rejected as being unpatentable over the above references and further in view of Kupperman ('840).

Claims 7 and 8 were rejected as being unpatentable over all of the above references and further in view of Livshin ('067).

Claims 9, 10, 11 and 15 were rejected as being unpatentable over Myren in view of Sullins. However, Sullins has a rigid, horseshoe shaped interior frame, (see "hollow fork 38" in Figures 2 and 3 of Sullins) which cannot be used with a bendable, unencumbered flexible mitt as in the present invention.

Claim 13 was rejected as being unpatentable over Myren in view of Sullins and further in view of Wilkerson ('913).

Claim 14 was rejected as being unpatentable over Myren in view of Sullins and further in view of Livshin.

Myren discloses a mitt for scrubbing a body, presumably a person's body (see below), and for that purpose has a pocket for containing and the dispensing detergent through "perforations 27 – that is, with the wearer moving his hand(s) in a container of water or beneath a shower" (col. 4, lines 15-23). In the present invention, (a) the reservoir is spread over virtually the whole palm side of the mitt and into the thumb portion, as described in the claims, an important feature because the mitt can be contorted due its flexibility to conform to the shape of the pet animal being groomed, and (b) the liquid is squeezed out of the mitt by forcing the palm side of the mitt into a concave shape. Neither

or both of these features, including the extension of the reservoir into the thumb portion is suggested or taught in Myren or in any of the references of record.

Sullins has a car washing glove with a hose attachment and was cited for the "reservoir" extending from a top of a distal fingertip end to a bottom of a proximal wrist end adjacent to the open end of the body. The Examiner refers to "reservoir 26" while the patentee refers to a "chamber 26" (col. 1, lines 58-60). It is believed that Sullins' chamber 26 can not be construed as a reservoir. According to The American Heritage Dictionary", pub. By Houghton Mifflin Co., a reservoir is a "receptacle or chamber for storing a fluid". In the reference, chamber 26 stores nothing. Its only purpose is to distribute the water coming through under pressure from the hose. When the hose is disconnected, the water presumably flows out of the chamber and disappears since there no discussion of keeping the water in the mitt, and, in fact, there would be no reason for keeping the water in the mitt once the hose is removed. In the present invention, the reservoir contains the detergent even when the mitt is not being used, something not possible in Sullins. In addition, one look at Fig. 5 clearly shows that the chamber does not extend from a fingertip end to a bottom of a proximal wrist end of the mitt.

Additionally, unlike amended Claims 1 herein, Sullins chamber is not bendable and is encumbered by a rigid, horseshoe-shaped frame, ("hollow fork 38") which limits bending. The rigid frame is a feature not possible in Applicant's mitt, which requires bending upon the animal's hide.

Wilkerson has a liquid dispenser and grooming brush for animals and was cited for nibs "medially along the mid-line of the mitt". Contrary to Examiner's statement, the nibs in this reference appear, from Fig. 3, to be widely distributed over the surface of the

brush. In Applicant's arrangement, the nibs are more densely distributed along this median of the mitt, as seen in Fig. 2 of this application and as described in col. 4, lines 29-32, of applicant's parent patent.

Kupperman shows an abrasive hand covering and was cited for a "denser pattern of nibs including a central nib with a plurality of concentric circles of nibs". Actually, what Kupperman has is abrading units 70 which are distributed, fairly evenly, it appears, on the fingers and the palm of the glove. And each abrading unit 70 is made up of a flat circular base with a flange 72 and a plurality of cones on the base in an annular array.

Livshin shows a wash glove and was cited for the hanging tab.

In view of the excellent art cited by the Examiner, claim 1 has been amended to recite that the denser pattern of nibs extends only along a central median from the distal fingertip of the mitt to the proximal wrist end of the mitt. It is believed that none of the references, applied, singly or in combination disclose this feature.

The remaining depending claims have all been either canceled or amended to clarify some of the language.

Claim 4 has been amended to recite that the dense pattern of nibs "consists of a row along said central median", thus excluding the dense pattern elsewhere.

Claim 6 has been amended that the reservoir can contain cleaning fluid when the stopper is in the port.

Independent claim 9 and its depending claims have been canceled.

Method claim 35 has been amended to call for the openings being crossed knife slits, which do not appear to be taught or suggested in the art cited. Also recited that the

grooming fluid is inserted into the reservoir through a port and the port is closed to retain the fluid within the reservoir.

New Claim 36 recites that the fluid reservoir is bendable and unencumbered (without the rigid interior horseshoe-shaped frame ("hollow fork 38") of Sullins).

In view of the foregoing, it is believed that the claims in the case now appear to be drawn to patentable subject matter and should be allowed.

The Examiner is requested to call the undersigned in the event that further changes are required to obtain allowance of this application.

A favorable action is solicited.

Respectfully submitted,



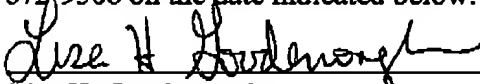
ALFRED M. WALKER
225 Old Country Road
Melville, NY 11747-2712
Tel 516-361-8737
Fax 516-361-8792

Dated: May 13, 2004

Certificate of Fax Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at (703) 872-9306 on the date indicated below.

Date: May 13, 2004


Lisa H. Goodenough